

Amendment No. 1 to HB1748

Ragan
Signature of Sponsor

AMEND Senate Bill No. 1950

House Bill No. 1748*

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 4-5-208, is amended by adding the following as a new subsection:

(f) The government operations committee of the senate or the house of representatives may suspend an emergency rule that is in effect for up to ninety (90) days. If the government operations committee of the senate and house of representatives, acting jointly, determines that a subsequent suspension is necessary, then the joint committee may issue a consecutive stay for an additional ninety (90) days. A suspension is effective when the respective committee files written notice with the secretary of state, and the respective committee shall specify the length of effectiveness of the suspension. Prior to the expiration date of the suspension, the suspension may be withdrawn by the respective committee. Withdrawal or expiration of the suspension reactivates the running of the balance of the effective period of the emergency rule in accordance with subsection (b).

SECTION 2. Tennessee Code Annotated, Section 4-5-214, is amended by designating subsection (b) as subsection (c), and by deleting subsection (a) and substituting:

(a) A rule may be withdrawn by the agency:

(1) Proposing a permanent rule at any point prior to the effective date of the rule; or

(2) Proposing the emergency rule at any point.

(b) The withdrawal becomes effective upon delivery of a written notification of the withdrawal to the office of the secretary of state and results in the nullification of all procedures undertaken or performed in order to promulgate the rule. The secretary of state may require the online submission of the notification of withdrawal of rules filed pursuant to this part.

SECTION 3. The secretary of state may promulgate rules to effectuate the purposes of this act. The rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in Tennessee Code Annotated, Title 4, Chapter 5.

SECTION 4. If any provision of this act or its application to any person or circumstance is held invalid, then the invalidity does not affect other provisions or application of the act that can be given effect without the invalid provision or application, and to that end, the provisions of this act are severable.

SECTION 5. This act takes effect July 1, 2022, the public welfare requiring it.